

September 7, 2004

Dear FCC Commissioners,

Re: Complaint
Deaf Consumer vs. Mr. K. Dane Snowden

Submitted to docket 98-67 are 5 letters responding to various representatives of the United States Congress, written by K. Dane Snowden. I find his responses not only patronizing the Deaf Consumers who wrote to their US Congress to ask for support, but erroneously making an assumption about the rates set by the FCC impacting the delivery of VRS. I find his statements to be not only biased against VRS successfully moving forward, but also question based on his responses, if the FNPRM is going to be a fair process in which it will lead to VRS becoming a mandate. At the rate in which it has been going, considering the date this docket was started, to its present time, it warrants your attention to investigate if this is a mere procedure wasting more of our government funds. Which leads me to ultimately ask; if it's President Bush's intention to have his staff discriminate against deaf and hard of hearing citizens desire to have a more functional equivalent service?

In most of the responses, Mr. K. Dane Snowden demonstrates a flaw with this process when he emphasizes rather patronizingly, the "popularity" of the VRS service as the reason for why centers are not equipped to answer the phone right away. Mr. K. Dane Snowden failed to portray both sides of the picture to explain this failure of the ASA requirement is due to the fact that they have not settled on the matter to make VRS a mandated service yet. Nor does he take the time to explain, why this ASA is important to Deaf and Hard of Hearing Consumers using the service is on par with the comparison that hearing persons do not have to wait for a long period of time (15minutes) just to get a "dial tone", as that is exactly what the average speed of answer issue addresses. He also failed to explain that there are numerous of comments on docket 98-67 stating over and over to the point of ridicule, why ASA needs to be required and not waived. His response is one-sided and biased.

In a response to Honorable John Ensign, August 2, 2004, Mr. K. Dane Snowden denies that the FCC has anything to do with the rate increase or decrease. Again his responses are one-sided and biased. Mr. K. Dane Snowden FAILED to mention to the US Congress, that just a year ago, the service was in a chaos due to the flawed process whereby on July 1, 2003, FCC announced suddenly (less than 23 hours notice), completely disregarded NECA's then recommendation for the rate (Recommendation at that time - \$14/per minute) and conducted its own investigation and came up with its own rate, which went out the next day, not giving Providers enough time to adjust to the huge decrease (\$17/per min to \$7.75). Nor did he mention that for 2004 cycle, the TRS Advisory Council made up of expertise with background specifically in deafness and TRS, recommended against the proposed \$7.29/per minute. And lastly, Mr. K. Dane Snowden failed to mention the rate was adjusted in 2004 to \$8.85/per minute. And

please don't quote me for the "exact amounts" aforementioned. I am just a mere Consumer, one who feels like this process has become a "David vs the Goliath". Obviously as do many other Consumers who are deaf and hard of hearing, otherwise they would not have gone to their US Congress for help with this matter. The point in case, Mr. K. Dane Snowden fails to recognize FCC's own wrong doings with regard to how it impacts a Providers ability to fully staff a center on a 24/7 basis. Naturally, the FNPRM is to decide such facts, however, my point in raising this is that the facts are not all present in his responses, and I fear this bias and one-sidedness will impact the results of this overall process costly process!!! Furthermore, in most of the responses, Mr. K. Dane Snowden flawed when he mentioned the rate has nothing to do with the fact the service isn't offered on a 24/7 basis. Stating the facts as I understand them above, how any business in the USA can project its actual cost recovery (actual and projected) when the FCC has seriously jerked everyone around from one rate to the next? Mr. K. Dane Snowden fails to mention there are already numerous comments on docket 98-67 stating all the facts mentioned above, but states he is puzzled why there is speculation about whether or not the VRS service will continue? Can he not see his own submission of error, and his own blatant disregard for the actual history? What bothers me is how many of these facts were left out to our Honorable members of Congress.

Last but not least, its already stated for the record on this docket, just why VRS is a critically needed service. Mr. K. Dane Snowden restated in all of his responses, that the FCC system is set-up for the consumers to contact by email. Error on the side of judgment Mr. K. Dane Snowden? Had he been more sensitive to the needs of this population, he would not be so insistent on written comments, but instead would have respected this obvious need for Video Based Information, and therefore, after 4 years, you would think that this Chief, would have established a Video-based message center for Deaf and Hard of Hearing persons to send their comments instead of forcing them to write! This system discriminates against the "needs" of this special population. Why else are they telling you they want a Video Telephone Relay Service?

I hereby request that an investigation be conducted by the FCC Inspector General, as to whether or not the FNPRM on VRS matters will receive a fair decision at its conclusion when the Head of the Bureau asked to lead this proposed rule making is not quite with it with the facts nor is he telling the full truth.

I no longer have faith that President Bush's appointments with the FCC, clearly showing he is not respectful of deaf persons request for information, nor demonstrative supportive of Deaf and Hard of Hearing persons support for VRS, when a person called Mr. K. Dane Snowden is employed and allowed to misrepresent the facts.

I no longer trust this FNPRM on VRS matter will be a fair and neutral process.

Sincerely,

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Cc: FCC – Office of the Inspector General
Honorable John Ensign
Honorable Donald A. Manzullo
Honorable Maria Cantwell
Honorable Peter Visclosky
Honorable Orrin G. Hatch
Honorable Diane Feinstein
Honorable Barbara Boxer
Honorable Robert Matsui
Honorable John Kerry
Honorable McCain
Cabinet Members of the Bush Administration